

UNITED STATES PATENT AND TRADEMARK OFFICE

(Case No. 97,253-A)

IN THE APPLICATION OF:

Barendse et al.

Serial No. 09/089,871

Filed: June 4, 1998

Title: High-Activity Phytase
Compositions

Examiner: Peter Tung

Group Art Unit: 1652

TRANSMITTAL LETTER

Commissioner for Patents
Washington, D.C. 20231

Sir:

In regard to the above identified application:

1. We are transmitting herewith the attached:

- a. Response to Office Action Mailed September 25, 2001;
- b. Request for Extension of Time; and
- c. Return Receipt Postcard.

2. With respect to additional fees:

 Check in the amount of \$920.00.3. Please charge any additional fees or credit overpayment to Deposit Account No.13-2490.
A duplicate copy of this sheet is enclosed.4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the papers, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this 25th day of March, 2002.

Respectfully submitted,

By:
Alison J. Baldwin
Reg. No. 48,968

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PATENT.

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(Case No. 97,253-A)

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**RESPONSE TO OFFICE ACTION
MAILED SEPTEMBER 25, 2001**

Box DD
Commissioner for Patents
Washington, D.C. 20231-9999

Dear Sir:

Responsive to the Official Action dated September 25, 2001, the applicant makes the following arguments in response to the Examiner's rejections of claims 18-28, 31-35, 39 and 40 of this application.

REMARKS

Claims 18-28, 31-35, 39 and 40 are pending in this application. By way of review, the present invention concerns a phytase – containing granulate prepared by a process comprising providing a solid carrier comprising at least about 15% (w/w) of an edible carbohydrate polymer; providing an aqueous liquid comprising a phytase at a concentration of at least 14,000 FTU per gram of aqueous liquid; and mixing the solid carrier and the

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